

**U.S. District Court
U.S. District Court for the Northern District of Oklahoma (Tulsa)
CIVIL DOCKET FOR CASE #: 4:10-cv-00270-GKF-PJC**

Watters v. Federal Bureau of Investigation et al
Assigned to: Chief Judge Gregory K Frizzell
Referred to: Magistrate Judge Paul J Cleary
Cause: 05:552 Freedom of Information Act

Date Filed: 04/28/2010
Jury Demand: Both
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

John Thomas Watters

represented by **John Thomas Watters**
#09753-062
Federal Corrections Institution
P O BOX 9000
SEAGOVILLE, TX 75159-9000
PRO SE

V.

Defendant

Federal Bureau of Investigation

represented by **Loretta Finiece Radford**
United States Attorney's Office (Tulsa)
110 W 7TH ST STE 300
TULSA, OK 74119-1013
918-382-2717
Fax: 918-560-7948
Email: loretta.radford@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Department of Justice

represented by **Loretta Finiece Radford**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

United States Attorney
Executive Office of the

represented by **Loretta Finiece Radford**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Oklahoma Bureau of Narcotics

Defendant

Osage County Sheriff's Department

Defendant

**Department of Justice – Criminal
Division**

represented by **Loretta Finiece Radford**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Department of the Treasury

represented by **Loretta Finiece Radford**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant**Bureau of Alcohol, Tobacco, Firearms,
Explosives**represented by **Loretta Finiece Radford**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****Internal Revenue Service**represented by **Loretta Finiece Radford**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/28/2010	<u>1</u>	COMPLAINT against all defendants by John Thomas Watters (Received 5 Summonses--in service hold tray) (s--srl, Dpty Clk) (Entered: 04/28/2010)
04/28/2010	<u>2</u>	MOTION for Leave to Proceed in Forma Pauperis by John Thomas Watters (s--srl, Dpty Clk) (Entered: 04/28/2010)
04/30/2010	<u>3</u>	ORDER by Judge Gregory K Frizzell ; setting/resetting deadline(s)/hearing(s): (Initial Filing Fee due by 5/31/2010); terminating party Oklahoma Bureau of Narcotics and Osage County Sheriff's Department ; granting <u>2</u> Motion for Leave to Proceed in Forma Pauperis (hbo, Dpty Clk) (Entered: 04/30/2010)
04/30/2010	<u>4</u>	ORDER by Judge Gregory K Frizzell, Directing Monthly Payments be made from Prison Account of John Thomas Watters (hbo, Dpty Clk) (Entered: 04/30/2010)
05/17/2010	<u>5</u>	PARTIAL FILING FEES Paid in the amount of \$38.64 by John Thomas Watters (s--srl, Dpty Clk) (Entered: 05/17/2010)
06/01/2010		***Remark: <i>Received 1 Summons and 4 USM--285 forms (placed in hold tray)</i> (lml, Dpty Clk) (Entered: 06/02/2010)
06/07/2010	<u>6</u>	PARTIAL FILING FEES Paid in the amount of \$20.00 by John Thomas Watters (s--srl, Dpty Clk) (Entered: 06/07/2010)
07/01/2010	<u>7</u>	ORDER by Judge Gregory K Frizzell <i>re: issuance of service & schedule</i> (Re: <u>1</u> Complaint) (hbo, Dpty Clk) (Entered: 07/01/2010)
07/02/2010	<u>8</u>	SUMMONS Issued by Court Clerk as to Federal Bureau of Investigation, Department of Justice, United States Attorney , <i>Attorney General Eric Holder</i> (s--srt, Dpty Clk) (Entered: 07/02/2010)
07/09/2010	<u>9</u>	PARTIAL FILING FEES Paid in the amount of \$93.52 by John Thomas Watters (lml, Dpty Clk) (Entered: 07/12/2010)
08/11/2010	<u>10</u>	PARTIAL FILING FEES Paid in the amount of \$85.23 by John Thomas Watters (s--srt, Dpty Clk) Modified on 10/27/2010 to correct file date (s--srt, Dpty Clk). (Entered: 08/11/2010)
10/12/2010	<u>11</u>	PARTIAL FILING FEES Paid in the amount of \$48.75 by John Thomas Watters (sdc, Dpty Clk) (Entered: 10/12/2010)
10/20/2010	<u>12</u>	LETTER <i>re: service of summons</i> by John Thomas Watters (s--srt, Dpty Clk) (Entered: 10/21/2010)
10/28/2010	<u>13</u>	ORDER by Judge Gregory K Frizzell <i>Re: extension of 120 day to complete service & directing Clerk to provide Plaintiff with service forms & Plaintiff to return same to Clerk</i> (Re: <u>1</u> Complaint) (hbo, Dpty Clk) (Entered: 10/28/2010)
11/15/2010		***Remark: <i>received 5 summons and 5 USM--285's in hold tray</i> (s--srt, Dpty Clk) (Entered: 11/15/2010)

11/16/2010	<u>14</u>	ORDER by Judge Gregory K Frizzell <i>Directing Clerk to issue new summons with answer day within 60 days of service & motion schedule if motions filed.</i> (Re: <u>1</u> Complaint) (hbo, Dpty Clk) (Entered: 11/16/2010)
11/17/2010	<u>15</u>	SUMMONS Issued by Court Clerk as to Department of Justice, Federal Bureau of Investigation, United States Attorney , <i>Attorney General of the United States</i> (s-srt, Dpty Clk) (Entered: 11/17/2010)
11/23/2010	<u>16</u>	ATTORNEY APPEARANCE by Loretta Finiece Radford on behalf of Department of Justice, Federal Bureau of Investigation, United States Attorney (Radford, Loretta) (Entered: 11/23/2010)
12/14/2010	<u>17</u>	SUMMONS Returned Executed re: United States Attorney (Re: <u>1</u> Complaint) (s-srt, Dpty Clk) (Entered: 12/14/2010)
01/06/2011	<u>18</u>	SUMMONS Returned Executed re: Department of Justice (Re: <u>1</u> Complaint) by John Thomas Watters (sdc, Dpty Clk) (Entered: 01/06/2011)
01/06/2011	<u>19</u>	SUMMONS Returned Executed re: Federal Bureau of Investigation (Re: <u>1</u> Complaint) by John Thomas Watters (sdc, Dpty Clk) (Entered: 01/06/2011)
01/06/2011	<u>20</u>	SUMMONS Returned Executed re: United States Attorney (Attorney General) (Re: <u>1</u> Complaint) by John Thomas Watters (sdc, Dpty Clk). (Entered: 01/06/2011)
01/06/2011	<u>21</u>	SUMMONS Returned Executed re: United States Attorney (<i>Executive Office</i>) (Re: <u>1</u> Complaint) by John Thomas Watters (sdc, Dpty Clk) (Entered: 01/06/2011)
01/20/2011	<u>22</u>	ANSWER (Re: <u>1</u> Complaint) by United States Attorney (Radford, Loretta) (Entered: 01/20/2011)
04/25/2011	<u>23</u>	ORDER by Judge Gregory K Frizzell, setting/resetting deadline(s)/hearing(s): (Dispositive Motions due by 5/26/2011, Responses due by 6/16/2011, Replies due by 6/30/2011) (hbo, Dpty Clk) (Entered: 04/25/2011)
05/13/2011	<u>24</u>	MOTION For In Camera Review by John Thomas Watters (sdc, Dpty Clk) (Entered: 05/16/2011)
05/19/2011	<u>25</u>	MOTION to Accelerate/Extend/Reset Hearing(s)/Deadline(s) <i>to File Motion for Summary Judgment</i> (Re: <u>23</u> Order, Setting/Resetting Deadline(s)/Hearing(s)) by Department of Justice, Federal Bureau of Investigation (Radford, Loretta) (Entered: 05/19/2011)
05/19/2011	<u>26</u>	RESPONSE in Opposition to Motion (Re: <u>24</u> MOTION For In Camera Review) by Department of Justice, Federal Bureau of Investigation ; (Radford, Loretta) (Entered: 05/19/2011)
05/19/2011	<u>27</u>	MOTION to Dismiss Party Executive Office of the United States Attorneys <i>for Failure to State a Claim</i> by United States Attorney (Radford, Loretta) (Entered: 05/19/2011)
05/20/2011	<u>28</u>	ORDER by Judge Gregory K Frizzell ; setting/resetting scheduling order date(s): (Dispositive Motions due by 7/18/2011); granting <u>25</u> Motion to Accelerate/Extend/Reset Hearing(s)/Deadline(s) (hbo, Dpty Clk) (Entered: 05/20/2011)
06/08/2011	<u>29</u>	MOTION for Extension of Time to Respond to Motion (Re: <u>27</u> MOTION to Dismiss Party Executive Office of the United States Attorneys <i>for Failure to State a Claim</i>) by John Thomas Watters (sdc, Dpty Clk) (Entered: 06/08/2011)
06/08/2011	<u>30</u>	MOTION for Extension of Time to Reply to Motion Response (Re: <u>24</u> MOTION For In Camera Review) by John Thomas Watters (sdc, Dpty Clk) (Entered: 06/08/2011)
06/09/2011	<u>31</u>	ORDER by Judge Gregory K Frizzell ; setting/resetting deadline(s)/hearing(s): (Responses due by 6/30/2011, Replies due by 7/14/2011); granting <u>29</u> Motion for Extension of Time to Respond to Motion; granting <u>30</u> Motion for Extension of Time to Reply to Motion Response (Re: <u>27</u> MOTION to Dismiss Party Executive Office of the United States Attorneys <i>for Failure to State a Claim</i> , <u>24</u> MOTION For In Camera Review) (hbo, Dpty Clk) (Entered: 06/09/2011)

06/13/2011	<u>32</u>	REPLY to Response to Motion (Re: <u>24</u> MOTION For In Camera Review) by John Thomas Watters ; (sdc, Dpty Clk) (Entered: 06/14/2011)
06/13/2011	<u>33</u>	RESPONSE to Motion (Re: <u>27</u> MOTION to Dismiss Party Executive Office of the United States Attorneys <i>for Failure to State a Claim</i>) by John Thomas Watters ; (sdc, Dpty Clk) (Entered: 06/14/2011)
06/13/2011	<u>34</u>	MOTION to Amend <i>Complaint</i> , MOTION for Joinder of Party(s) (Re: <u>1</u> Complaint) by John Thomas Watters (sdc, Dpty Clk) (Entered: 06/14/2011)
06/13/2011	<u>35</u>	***Remark: <i>received Amended Complaint (in hold tray)</i> (sdc, Dpty Clk) (sdc, Dpty Clk). (Entered: 06/14/2011)
07/05/2011	<u>36</u>	RESPONSE in Opposition to Motion (Re: <u>34</u> MOTION to Amend <i>Complaint</i> MOTION for Joinder of Party(s)) by Department of Justice, Federal Bureau of Investigation, United States Attorney ; (With attachments) (Radford, Loretta) (Entered: 07/05/2011)
07/18/2011	<u>37</u>	SEALED UNREDACTED VERSION per Local Rule 5.3(b) (Radford, Loretta) Filed in error; Counsel to file a Motion to Withdraw (lml) Modified on 7/21/2011; WITHDRAWN per <u>43</u> (sac, Dpty Clk). (Entered: 07/18/2011)
07/18/2011	<u>38</u>	MOTION for Summary Judgment (Radford, Loretta) Modified on 7/19/2011 to correct title of event and seal exhibits per counsel (lml, Dpty Clk). (Entered: 07/18/2011)
07/19/2011	<u>39</u>	MOTION to Withdraw Document(s) (Re: <u>37</u> Sealed Unredacted Version per Local Rule 5.3(b)) by Department of Justice, Federal Bureau of Investigation, United States Attorney (Radford, Loretta) Modified on 7/19/2011 to remove motion part not filed (lml, Dpty Clk). (Entered: 07/19/2011)
07/19/2011	<u>40</u>	MOTION to Seal Document <i>Exhibits to the Federal Defendants' Motion for Summary Judgment and Brief in Support</i> (Re: <u>38</u> MOTION for Summary Judgment) by Department of Justice, Federal Bureau of Investigation, United States Attorney (Radford, Loretta) (Entered: 07/19/2011)
07/20/2011	<u>41</u>	MOTION for Extension of Time to Reply to Motion Response (Re: <u>34</u> MOTION to Amend <i>Complaint</i> MOTION for Joinder of Party(s)) by John Thomas Watters (sdc, Dpty Clk) (Entered: 07/20/2011)
07/20/2011	<u>42</u>	CERTIFICATE of Service (Re: <u>38</u> MOTION for Summary Judgment, <u>40</u> MOTION to Seal Document <i>Exhibits to the Federal Defendants' Motion for Summary Judgment and Brief in Support</i>) by United States Attorney (Radford, Loretta) (Entered: 07/20/2011)
07/20/2011	<u>43</u>	ORDER by Judge Gregory K Frizzell ; striking/withdrawing document(s); granting <u>39</u> Motion to Withdraw Documents(s) (Re: <u>37</u> Sealed Unredacted Version per Local Rule 5.3(b)) (Documents Terminated: <u>37</u> Sealed Unredacted Version per Local Rule 5.3(b)) (hbo, Dpty Clk) (Entered: 07/20/2011)
07/20/2011	<u>44</u>	ORDER by Judge Gregory K Frizzell ; granting <u>40</u> Motion to Seal Document(s) (Re: <u>38</u> MOTION for Summary Judgment) (hbo, Dpty Clk) (Entered: 07/20/2011)
07/21/2011	<u>45</u>	ORDER by Judge Gregory K Frizzell ; setting/resetting deadline(s)/hearing(s): (Replies due by 8/15/2011); granting <u>41</u> Motion for Extension of Time to Reply to Motion Response; denying <u>24</u> Motion for Miscellaneous Relief (Re: <u>34</u> MOTION to Amend <i>Complaint</i> MOTION for Joinder of Party(s)) (hbo, Dpty Clk) (Entered: 07/21/2011)
08/04/2011	<u>46</u>	MOTION for Extension of Time to Respond to Motion (Re: <u>38</u> MOTION for Summary Judgment) by John Thomas Watters (sdc, Dpty Clk) (Entered: 08/04/2011)
08/05/2011	<u>47</u>	ORDER by Judge Gregory K Frizzell ; granting <u>46</u> Motion for Extension of Time to Respond to Motion (Re: <u>38</u> MOTION for Summary Judgment) (hbo, Dpty Clk) (Entered: 08/05/2011)
10/06/2011	<u>48</u>	RESPONSE in Opposition to Motion (Re: <u>38</u> MOTION for Summary Judgment) by John Thomas Watters ; (s-srt, Dpty Clk) (Entered: 10/06/2011)

10/18/2011	<u>49</u>	REPLY to Response to Motion (Re: <u>38</u> MOTION for Summary Judgment) by Department of Justice, Federal Bureau of Investigation, United States Attorney ; (Radford, Loretta) (Entered: 10/18/2011)
10/24/2011	<u>50</u>	MOTION to Amend (<i>Amended Complaint in hold tray</i>) (Re: <u>1</u> Complaint) by John Thomas Watters (sdc, Dpty Clk) (Entered: 10/25/2011)
10/24/2011	<u>53</u>	***Remark: <i>received proposed Second Amended Complaint (in hold tray)</i> (Re: <u>50</u> MOTION to Amend (<i>Amended Complaint in hold tray</i>)) (sdc, Dpty Clk) (Entered: 03/13/2012)
11/14/2011	<u>51</u>	RESPONSE in Opposition to Motion (Re: <u>50</u> MOTION to Amend (<i>Amended Complaint in hold tray</i>)) by Department of Justice, Federal Bureau of Investigation, United States Attorney ; (Radford, Loretta) (Entered: 11/14/2011)
12/01/2011	<u>52</u>	REPLY to Response to Motion (Re: <u>50</u> MOTION to Amend (<i>Amended Complaint in hold tray</i>)) by John Thomas Watters ; (s-srt, Dpty Clk) (Entered: 12/01/2011)
03/23/2012	<u>54</u>	ORDER by Chief Judge Gregory K Frizzell ; setting/resetting deadline(s)/hearing(s): (Miscellaneous Deadline set for 4/23/2012); finding as moot <u>34</u> Motion to Amend; finding as moot <u>34</u> Motion for Joinder of Party(s); denying <u>38</u> Motion for Summary Judgment; granting <u>50</u> Motion to Amend; denying <u>27</u> Motion to Dismiss Party (cds, Dpty Clk) (Entered: 03/23/2012)
03/26/2012	<u>55</u>	AMENDED COMPLAINT against All Defendants (Re: <u>1</u> Complaint) by John Thomas Watters (sdc, Dpty Clk) (Entered: 03/28/2012)
04/16/2012	<u>56</u>	MOTION for Extension of Time to Answer <i>or Otherwise Respond to Plaintiff's Second Amended Complaint</i> (Re: <u>55</u> Amended Complaint) by Bureau of Alcohol, Tobacco, Firearms, Explosives, Department of Justice, Department of Justice – Criminal Division, Department of the Treasury, Federal Bureau of Investigation, Internal Revenue Service, United States Attorney (Radford, Loretta) (Entered: 04/16/2012)
04/18/2012	<u>57</u>	ORDER by Chief Judge Gregory K Frizzell ; granting <u>56</u> Motion for Extension of Time to Answer (Re: <u>55</u> Amended Complaint) (hbo, Dpty Clk) (Entered: 04/18/2012)
05/11/2012	<u>58</u>	MOTION for Extension of Time to Answer (Re: <u>55</u> Amended Complaint) by Bureau of Alcohol, Tobacco, Firearms, Explosives (Radford, Loretta) (Entered: 05/11/2012)
05/14/2012	<u>59</u>	ORDER by Chief Judge Gregory K Frizzell ; setting/resetting deadline(s)/hearing(s): ; granting <u>58</u> Motion for Extension of Time to Answer (Re: <u>55</u> Amended Complaint) (hbo, Dpty Clk) (Entered: 05/14/2012)
05/23/2012	<u>60</u>	ANSWER (Re: <u>55</u> Amended Complaint) by Internal Revenue Service (Radford, Loretta) (Entered: 05/23/2012)
06/22/2012	<u>61</u>	ANSWER (Re: <u>55</u> Amended Complaint) by Bureau of Alcohol, Tobacco, Firearms, Explosives (Radford, Loretta) (Entered: 06/22/2012)
08/31/2012	<u>62</u>	MOTION to File Answers as to the Federal Bureau of Investigation, Department of Justice Criminal Div., and the Executive Office of the United States Attorney Out of Time by Bureau of Alcohol, Tobacco, Firearms, Explosives, Department of Justice, Department of Justice – Criminal Division, Department of the Treasury, Federal Bureau of Investigation, Internal Revenue Service, United States Attorney (Radford, Loretta) (Entered: 08/31/2012)
09/04/2012	<u>63</u>	ORDER by Chief Judge Gregory K Frizzell ; granting <u>62</u> Motion to File Document Out of Time (Re: <u>55</u> Amended Complaint) (hbo, Dpty Clk) (Entered: 09/04/2012)
09/11/2012	<u>64</u>	ANSWER (Re: <u>55</u> Amended Complaint) by Department of Justice, Department of Justice – Criminal Division, Federal Bureau of Investigation, United States Attorney (Radford, Loretta) (Entered: 09/11/2012)
10/31/2012	<u>65</u>	ORDER by Chief Judge Gregory K Frizzell, setting/resetting deadline(s)/hearing(s): (Dispositive Motions due by 11/30/2012) (hbo, Dpty Clk) (Entered: 10/31/2012)

11/30/2012	<u>66</u>	Second MOTION for Summary Judgment <i>and Brief in Support</i> by Bureau of Alcohol, Tobacco, Firearms, Explosives, Department of Justice, Department of Justice – Criminal Division, Department of the Treasury, Federal Bureau of Investigation, Internal Revenue Service, United States Attorney (With attachments) (Radford, Loretta) (Entered: 11/30/2012)
12/20/2012	<u>67</u>	MOTION for Extension of Time to Respond to Motion (Re: <u>66</u> Second MOTION for Summary Judgment <i>and Brief in Support</i>) by John Thomas Watters (s–srt, Dpty Clk) (Entered: 12/20/2012)
12/21/2012	<u>68</u>	ORDER by Chief Judge Gregory K Frizzell ; setting/resetting deadline(s)/hearing(s): (Responses due by 2/19/2013, Replies due by 3/5/2013); granting <u>67</u> Motion for Extension of Time to Respond to Motion (Re: <u>66</u> Second MOTION for Summary Judgment <i>and Brief in Support</i>) (cds, Dpty Clk) (Entered: 12/21/2012)
02/21/2013	<u>69</u>	RESPONSE in Opposition to Motion (Re: <u>66</u> Second MOTION for Summary Judgment <i>and Brief in Support</i>) by John Thomas Watters ; (s–srt, Dpty Clk) (Entered: 02/22/2013)
02/21/2013	<u>70</u>	BRIEF <i>in Support</i> (Re: <u>69</u> Response in Opposition to Motion) by John Thomas Watters (s–srt, Dpty Clk) (Entered: 02/22/2013)
02/28/2013	<u>71</u>	MOTION to File Corrected "Brief in Support of Plaintiff's Response to Motion for Summary Judgment" (Re: <u>70</u> Brief) by John Thomas Watters (sdc, Dpty Clk) (Entered: 02/28/2013)
02/28/2013	<u>72</u>	BRIEF <i>in Support (Corrected)</i> (Re: <u>69</u> Response in Opposition to Motion) by John Thomas Watters (sdc, Dpty Clk) (Entered: 02/28/2013)